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June 11, 2021

Via ECF

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Chambers: Room S905
Courtroom: 6C South

**Re: *Brody v. Berkshire Hathaway, et al.*,
Case No: 1:21-cv-02481;**

***Mirvis, et al v. Berkshire Hathaway, et al.*,
Case No: 1:21-cv-02210;**

***Viscardi v. Government Employees Insurance Company, d/b/a
GEICO, et al.*,
Case No: 2:21-cv-02540.**

Dear Judge Matsumoto:

We are counsel for plaintiff in the *Brody v. Berkshire Hathaway, et al* case referenced above, and write pursuant to Your Honor's Individual Rules requiring a pre-motion letter to the Court. As Your Honor knows there are three cases pending in the Eastern District of New York which are the above-referenced *Brody*, *Mirvis*, and *Viscardi* cases (the "Related Actions"). All

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three of the Related Actions assert claims based upon the Data Breach at GEICO which occurred between January 21, 2021 and March 1, 2021 and which was announced by GEICO on April 9, 2021. The claims asserted in all three complaints arise out of the GEICO Data Breach. We believe that all three Related Actions should be consolidated and we, therefore, seek approval to move for consolidation.

We are prepared to file the Motion immediately if Your Honor approves this request.

Alternatively, if all parties in the Related Actions agree to Consolidation, then, subject to the Court's approval, we are prepared to submit a Proposed Order on consent, consolidating all three cases as well.

Respectfully submitted,



Gary S. Graifman, Esq.

cc: All Counsel of Record in the Related Actions.